

REMARKS

These remarks and the accompanying amendments are responsive to the Office Action dated November 15, 2006 (hereinafter referred to as the “Office Action”). At the time of the last examination, Claims 5-10 were pending, of which Claims 5, 7 and 9 are independent claims, and Claims 6, 8 and 10 are corresponding dependent claims. By this response, all of the claims are amended.

The Office Action rejects Claims 5-10 under 35 U.S.C. 102(e) as being anticipated by United States patent number 6,028,852 issued to Miya et al. (the patent hereinafter referred to simply as “Miya”). The applicants respectfully request reconsideration in light of these remarks.

In independent Claims 5, 7 and 9, the signal generation means (or step in the case of Claim 9) generates “a signal to be transmitted into which pilot symbols which are predetermined patterns have been inserted, such that a ratio of a number of the pilot symbols to a total number of symbols in a single slot of the signal becomes a value responsive to a transmission rate of the signal.”

In the current Office Action, the Examiner said that the signal generation means is disclosed in Miya by referring to Figure 1 and the signals 2, 3, ... , m (communication channels (1), (2), ... , (m-1) of Miya.

However, Miya do not disclose generating a signal such that a ratio of a number of pilot symbols to a total number of symbols in a single slot of the signal becomes a value responsive to a transmission rate of the signal.

That is, first, there is no description regarding a transmission rate in Miya.

Second, according to the explanation at column 4, lines 43-46 regarding the signals 2, 3, ... , m (communication channels (1), (2) , ... , (m-l)), the pilot symbols are inserted in to those signals with each period T, and the ratio of the pilot symbols in the signal is constant.

Thus, Claims 5, 7 and 9 are not anticipated by Miya, which does not disclose a recited feature of the independent claims, i. e. generating a signal such that a ratio of a number of pilot symbols to a total number of symbols in a single slot of the signal becomes a value responsive to a transmission rate of the signal. Accordingly, the 35 U.S.C. 102(e) rejection should be withdrawn.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 8th day of February, 2007.

Respectfully submitted,

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